

REMARKS

Claims 3-14 are pending in the above-identified application, and claims 6-14 are withdrawn. Claims 3-5 were rejected. With this Amendment, claim 3 was amended. Accordingly, claims 3-5 are at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Owada et al. (U.S. Patent No. 6,949,830) in view of Shimooka et al. (U.S. Patent No. 6,534,870). Applicant respectfully traverses this rejection.

Claim 3 has been amended to specify that the inter-wiring insulating film comprises a laminated insulating film including an organic low dielectric constant insulating film, and a multi-layer second carbon-containing silicon oxide film provided on the low dielectric constant insulating film and having a plurality of layers with different carbon contents. Owada et al. does not disclose or suggest this limitation. In Owada et al., the insulating film (17) beneath the alleged multi-layer film is formed of SiC, which is inorganic. Additionally, Shimooka et al. does not disclose or suggest an inter-wiring insulating film comprising a laminated insulating film including an organic low dielectric constant insulating film, and a multi-layer second carbon-containing silicon oxide film provided on the low dielectric constant insulating film and having a plurality of layers with different carbon contents, as pointed out by the Examiner on page 5 of the Office Action dated Sept. 8, 2005. Thus, neither Owada et al nor Shimooka et al., alone or in combination, disclose or suggest the limitations of claim 3.


Claims 4 and 5 depend from claim 3. Accordingly, claims 3-5 are patentable over Owada et al. in view of Shimooka et al.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: November 3, 2006

By: 
Marina N. Saito
Registration No. 42,121
SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000